

McGREGOR W. SCOTT
United States Attorney
JUSTIN L. LEE
Assistant U.S. Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
(916) 554-2700

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	2:20-MJ-00157-JDP
)	
Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING PRELIMINARY
v.)	HEARING DATE
)	
BILLY PAUL DUNN,)	
)	Judge: Hon. Allison Claire
Defendant.)	
)	
)	
)	

STIPULATION

The United States, by and through its undersigned counsel, and the defendant, by and through his counsel of record, hereby stipulate as follows:

1. By prior order, this matter was set for Preliminary Hearing on December 3, 2020.
2. By this Stipulation, the parties now move to continue the Preliminary Hearing until December 17, 2020, at 2:00 p.m.
3. The defendant made his initial appearance on October 21, 2020. The Preliminary Hearing was originally set for November 4, 2020. This is the second requested continuance of the preliminary hearing date.
4. The defendant is presently in custody pending trial in this matter.

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- 1 5. The parties have discussed potential pre-indictment resolution of this matter. The
2 parties need further time to discuss this matter, research issues related to the
3 defendant's criminal history, discuss any potential consequences, and to allow
4 counsel for the defendant reasonable time necessary for preparation and further
5 investigation.
- 6 6. The defendant understands that pursuant to 18 U.S.C. § 3161(b), "any information
7 or indictment charging an individual with the commission of an offense shall be
8 filed within thirty days from the date on which such individual was arrested." Time
9 may be excluded under the Speedy Trial Act if the Court finds that the ends of
10 justice served by granting such a continuance outweigh the best interests of the
11 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The parties
12 jointly move to exclude time within which any indictment or information shall be
13 filed from the date of this order, through and including December 17, 2020,
14 pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), because failure to do so would "deny
15 counsel for the defendant . . . the reasonable time necessary for effective
16 preparation, taking into account the exercise of due diligence."
- 17 7. Good cause exists under Rule 5.1(d) of the Federal Rules of Criminal Procedure.

18 **IT IS SO STIPULATED.**

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20 DATED: November 30, 2020

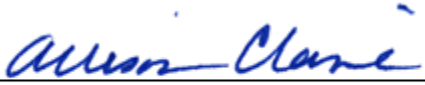
/s/ Justin L. Lee
JUSTIN L. LEE
Assistant U.S. Attorney

22 DATED: November 30, 2020

/s/ Benjamin D. Galloway
BENJAMIN D. GALLOWAY
Attorney for Billy Paul Dunn
(as authorized on November 30, 2020)

ORDER

IT IS SO FOUND AND ORDERED, this 30th day of November 2020.



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE